IN RE: PETITION FOR VARIANCE

E/S Middle River Road, 227.35' S of

Philadelphia Road

(9615 Philadelphia Road)

15<sup>th</sup> Election District

5th Councilmanic District

4600 Wabash Avenue Joint Venture Petitioners

- BEFORE THE
- ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 99-407-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, 4600 Wabash Avenue Joint Venture, by Stephen T. Kimball, General Partner, through their attorney, John B. Gontrum, Esquire. The Petitioners seek relief from Section 255.1 (Section 238.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 8 feet in lieu of the required 30 feet for a proposed car wash. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Steve Kimball, a principal of 4600 Wabash Avenue Joint Venture, property owners, Frederick Thompson, Professional Engineer with Gower Thompson, Inc., who prepared the site plan for this property, and John B. Gontrum, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is an irregularly shaped parcel, approximately 3.66 acres in area, zoned M.L.-I.M. The property is located near the intersection of Middle River Road and Philadelphia Road in Rossville and enjoys access from both roadways. The subject property was the subject of prior zoning Case No. 99-302-X in which a special exception for a car wash was granted by Deputy Zoning Commissioner Timothy M. Kotroco by Order dated April 22, 1999. To the extent that they are applicable, the Findings of Fact and Conclusions of www.issued by Deputy Commissioner Kotroco are incorporated herein.

UNDER RECEIVED FOR FILING

OHDER RECENEDEDRING

The Petitioners now come before me seeking to correct an oversight on the previously approved site plan. Specifically, after special exception relief was granted, the Petitioners moved forward with their plans to develop the site and obtain the requisite permits. During that phase, it was noted that one of the proposed wash bays was to be located on the site within 8 feet of the side property line in lieu of the required 30 feet. Thus, the instant Petition for Variance was filed seeking the relief as set forth above.

An examination of the site plan indicates that the most impacted property from the reduced setback is that lot adjacent to the intersection of Middle River Road and Philadelphia Road. That lot is owned by the Southland Corporation and is improved with a one-story building utilized as a 7-Eleven.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Variance. The unique factor associated with this property is its unusual shape. Additionally, I am persuaded that the Petitioners would suffer a practical difficulty if the variance were denied, in that the permitted use would not be allowed. Lastly, there will clearly be no detrimental impact upon adjacent properties.

It is also to be noted that Zoning Advisory Committee comments were offered relative to the variance. The Office of Planning suggested that a landscape plan be submitted for review and approval, and that the proposed sign be designed to be aesthetically pleasing. In this regard, Mr. Thompson indicated that a landscape plan had already been submitted to Mr. Avery Harden, the County's Landscape Architect, as part of the prior special exception case. Moreover, Mr. Harden and the Office of Planning also reviewed and approved the sign as part of that process. Thus, I decline to incorporate any further restrictions on the grant of the relief herein.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June, 1999 that the Petition for Variance seeking relief from Section 255.1 of the Rationere County Zoning Regulations (B.C.Z.R.) (Section 238.2) to permit a side yard setback of 8

ALDER FRECEIVED FOR FILING WING

feet in lieu of the required 30 feet for a proposed car wash, in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386 Fax: 410-887-3468

June 11, 1999

John B. Gontrum, Esquire Romadka, Gontrum & McLaughlin 814 Eastern Boulevard Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
E/S Middle River Road, 227.35' S of Philadelphia Road
(9615 Philadelphia Road)
15<sup>th</sup> Election District - 5th Councilmanic District
4600 Wabash Avenue Joint Venture - Petitioners
Case No. 99-407-A

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc:

Mr. Stephen T. Kimball

Kimball Construction Cq., 9615 Philadelphia Road, Baltimore, Md. 21236

People's Counsel; Case File



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at

9615 Philadelphia Road

which is presently zoned ML-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

255.1 (238.2) to allow a side yard setback of 8' ± in lieu of the 30' required.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

irregular lot configuration and optimal facility location on the lot for access would create a practical difficulty if variance is not granted by prohibiting requested service.

Property is to be posted and advertised as prescribed by the zoning regulations.

Drop. Off

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare perjury, that I/we are the le is the subject of this Petition	egal owner(s) of the p	e penalties of property which
Contract Purchase	r/Lessee:		Legal Owner(s):		
			4600 Wabash Ave.	Joint Venture	
Name - Type or Print			Name - Type or Print	71465	1 Parto
Signature			Signature Stephen	r. Kimbal	1
Address		Telephone No.	Name - Type of Print	1 11111000	
City	State	Zip Code	Signature		<u> </u>
Attorney For Petition	oner:		9615 Philadelphia Address	Road (410) 57	74-7850 Telephone No.
John B. Gontrum Name - Type or Print	<u> </u>		Baltimore, MD 212	36 State	Zip Code
Signature		*	Representative to be		ZIP Code
Romanika, Gontrum	& McLaughlin (410) 686-827	4	Name		
Address		Telephone No.	Address		Telephone No.
Haltimore, MD 21	221 State	Zip Code	City	State	Zip Code
BL &			OFFICE	USE ONLY	
No. 99-	407-A-		ESTIMATED LENGTH	OF HEARING_	
79 915198	90191		UNAVAILABLE FOR H	EARING	Y-15-99
200 No. 99-			Dan a		

No REVIEW

#### ZONING DESCRIPTION 9615 PHILADELPHIA ROAD

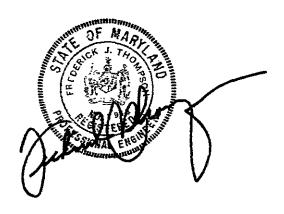
BEGINNING AT A POINT ON THE EAST SIDE OF MIDDLE RIVER ROAD, WHICH IS 50 FEET WIDE, AT A DISTANCE OF 227.35 FEET SOUTH 42 DEGREES 42 MINUTES EAST OF THE SOUTHEAST CORNER OF MIDDLE RIVER AND PHILADELPHIA ROADS. THENCE THE FOLLOWING COURSES AND DISTANCES:

- 1. ALONG THE RIGHT OF WAY LINE OF MIDDLE RIVER ROAD SOUTH 42 DEGREES 42 MINUTES 00 SECONDS EAST, 50.19 FEET;
- 2. ALONG THE RIGHT OF WAY LINE OF MIDDLE RIVER ROAD ON AN ARC CURVING TO THE LEFT HAVING A RADIUS OF 1,025.00 FEET, THE ARC DISTANCE OF 54.67 FEET;
- 3. NORTH 52 DEGREES 12 MINUTES 03 SECONDS EAST, 305.93 FEET;
- NORTH 44 DEGREES 23 MINUTES 11 SECONDS WEST, 214.64 FEET;
- 5. CONTINUING ON THE SAME LINE NORTH 44 DEGREES 23 MINUTES 11 SECONDS WEST, 150.17 FEET TO PHILADELPHIA ROAD:
- 6. ALONG PHILADELPHIA ROAD SOUTH 45 DEGREES 36 MINUTES 32 SECONDS WEST, 178.54 FEET:
- 7. SOUTH 44 DEGREES 14 MINUTES 02 SECONDS EAST, 240.63 FEET; AND
- 8. NORTH 51 DEGREES 48 MINUTES 32 SECONDS WEST, 123.74 FEET TO THE POINT AND PLACE OF BEGINNING.

BEING A PORTION OF LAND OWNED BY 4600 WABASH AVENUE LIMITED PARTNERSHIP AND RECORDED IN LIBER 11416 FOLIO 572

CONTAINING 1.76 ACRES MORE OR LESS.

ALSO KNOWN AS 9615 PULASKI HIGHWAY AND LOCATED IN THE 15<sup>TH</sup> ELECTION DISTRICT.



BALTIMORE COUNT OFFICE OF BUDGET & MISCELLANEOUS F	BALTIMORE COUNTY, MAT 'LAND OFFICE OF BUDGET & FINANCL MISCELLANEOUS RECEIPT	.CAND	No. 067808	
DATE4	4/15/99	ACCOUNT	0016150	REG 4801 CASHTER JRTC JAR DRAMER 1
,		AMOUNT \$ 250,00 (VCR.)	O (WCR)	UBYL 5 528 ZINING VEKIFITALION RECEIPT # 0.98811 CR NJ. 067009
RECEIVED FROM:	Romadka Gc	Romedka Gontrum & McLaughlin	ughlin	250.00 CK
FOR:	VARIANCE		Item 407	and a man
	9615 Phi	9615 Philadelphia Road	ងជ	Q nomper-
	Drop-Off No Review		Case #99-407-A	The second secon
DISTRIBUTION WHITE - CASHIER	PINK - AGENCY	YELLOW - CUSTOMER		CASHIER'S VALIDATION
	And the second s	مان القريمية المراجع ا	of the second	The second of th

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

#### MOTTEE OF ZOMING HEADRING

The Zenting Commissioner of Balamore County, by authority of the Zoning Act and Regulations of Balamore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-407-A
9615 Philadelphia Road
SE/S Philadelphia Road and
NE/S Middle River Road
15th Election District
5th Councilmanic District
Legal Owner(s): 4600 Wabash
Avenue Joint Venture

Variance: to allow a side yard sethack of 8 +/- feet in lieu of the 30 feet required. Hearing: Thesday, June 1, 1999 at 11:00 a.m. in Boom 407, County Courts Bidg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Battimore County

Zoning commissioner to Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Commissioner's Office at (410) 887-4386.

(410) 887-4386.
(2) For information concenting: the File and/or Hearing. Contact the Zoning Review Office at (410) 887-3391.

5/174 May 13 C311503

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 5 3, 1999
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of successive
weeks, the first publication appearing on $5/13/.1999$ .

THE JEFFERSONIAN,

LEGAL ADVERTISING

#### CERTIFICATE OF POSTING

RE: CASE # 99-407-A
PETITIONER/DEVELOPER:
[4600 E. Wabash Joint]
DATE OF Hearing
[June1, 1999]

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION . MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 9615 Philadelphia Road Baltimore, Maryland 21237\_\_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ 5-14-99

Sincerely,

Vionth, Day, Year

(Signature of Sign Poster & Date)

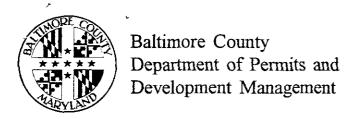
\_\_\_\_Thomas P. Ogle, Sr.\_\_\_\_

\_\_\_\_325 Nicholson Road

\_\_\_Baltimore, Maryland 21221\_\_\_

\_\_\_\_(410)-687-8405\_\_ (Telephone Number)

PHILADELPHIA RD.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 15, 1999

John B. Gontrum, Esquire Romadka, Gontrum & McLaughlin 814 Eastern Boulevard Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Drop-Off Petition, Case No. 99-407-A, 9615 Philadelphia Road

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the above, please do not hesitate to contact Sophia Jennings at or myself 410-887-3391.

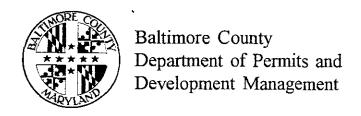
Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor Zoning Review

WCR:scj

**Enclosures** 

Request for Zoning: Variance, Special Exception, or Special Hearing
Date to be Posted: Anytime before but no later than
Format for Sign Printing, Black Letters on White Background:
ZONING NOTICE
Case No.: 99-409- A
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN FOWSON, MD
PLACE:
DATE AND TIME:
REQUEST: VARIANCE TO ALLOW A SIDE YARD
SETBACK OF 8 FEET (+/-) IN LIEU OF
THE 30 FEET REQUIRED.
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE
*



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 28, 1999

# NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-407-A
9615 Philadelphia Road
SE/S Philadelphia Road and NE/S Middle River Road
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District
Legal Owner: 4600 Wabash Avenue Joint Venture

Variance to allow a side yard setback of 8 +/- feet in lieu of the 30 feet required.

HEARING: Tuesday, June 1, 1999 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

c: John B. Gontrum, Esquire 4600 Wabash Avenue Joint Venture

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 17, 1999.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY May 13, 1999 Issue – Jeffersonian

Please forward billing to:

John B. Gontrum, Esquire Romadka, Gontrum & McLaughlin 814 Eastern Boulevard Baltimore, MD 21221 410-686-8274

# NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-407-A
9615 Philadelphia Road
SE/S Philadelphia Road and NE/S Middle River Road
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District
Legal Owner: 4600 Wabash Avenue Joint Venture

Variance to allow a side yard setback of 8 +/- feet in lieu of the 30 feet required.

HEARING: Tuesday, June 1, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

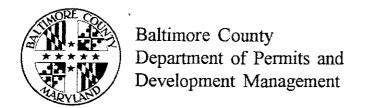
gilian (S. 19

LAWRENCE E. SCHMIDT

**ZONING COMMISSIONER FOR BALTIMORE COUNTY** 

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

June 1, 1999

John B. Gontrum, Esq. Romadka, Gontrum & McLaughlin 814 Eastern Boulevard Baltimore, MD 21221

RE: Case No.: 99-407-A

Petitioner: 4600 Washbash Ave Location: 9615 Philadelphia Rd.

Dear Mr. Gontrum:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 15, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: May 3, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for May 3, 1999 Item No. 407

The Bureau of Development Plans Review has reviewed the subject zoning item. Sidewalks should be designed to the proposed right-of-way.

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

MAY 7, 1999

Arryld Jablon, Director
Zoning Administration and Corolopment Macadement
Billimore of they Office Building
Tourney Mp 11204
MAIL 2000-1135

PE- Orejerty Owner: SEE PELOW

Sucation: DISTRIBUTION MEFTING OF APRIL 19, 1990

This Mont Con Boliss Ton

- Mening Aganda:

of mellismane

This with an your modernt, the reforenced projectly has now any of by this Bureau and the comments below are applicable and initiates to be corrected or indosporated into the Sanal place as the opening.

The Fire Murchalla Orfole had no commonse at this time, IN PERFENCE OF THE FOLLOWING ITEM NUMBERS:

400, 404, 405, 407

PERTENDED: CT. F. EFPT P. SAUERWALE
Piro Micchal Childe, Phone Actives, Meile com

900: **F**124

figure

# BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** April 29, 1999

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT:

9615 Philadelphia Road

INFORMATION:

Item Number:

407

Petitioner:

4600 Wabash Ave. Joint Venture

Zoning:

ML-IM

Requested Action:

Variance

## **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the applicant's request provided that a landscape plan, in full compliance with the requirements for automotive uses, is submitted to the Office of Planning for review and approval. In addition, the proposed sign should be redesigned to be more aesthetically appealing.

pffy W. Long

Section Chief: /

AFK/JL:



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: April 26, 1999

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County Item No. 407 (WCR) 9615 Philadelphia Rd.

MD Route 7 Mile Post 4.78

Dear Ms. Stephens:

This office has reviewed the referenced Variance and have no objection to approval.

However we will require the owner to obtain an access permit. Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. London Michael M. Lenhart, Acting Chief Engineering Access Permits Division

LG

RE: PETITION FOR VARIANCE	*	BEFORE THE
9615 Philadelphia Road, SE/S Philadelphia Rd and NE/S Middle River Rd, 15th Election District,	*	ZONING COMMISSIONER
5th Councilmanic	*	FOR
Legal Owners: 4600 Wabash Ave. Jt. Venture	*	BALTIMORE COUNTY
Petitioner(s)	*	Case Number: 99-407-A

## **ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

Carole S. Demilis

400 Washington Avenue Towson, MD 21204

(410) 887-2188

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this day of April, 1999, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

99-401-A

The MI-IM your permits saw washes by special exception public bearing and subject to specific standards for such doe; most of which are not shown on this plan. The lack of a young history on the plan hold less the stoff in review for compliance with young and variance requirements, and the plant per the going public Reasons information on the plant per the going public Reasons checklist cound resulment. The mainst plant, for this variance required due to lack of information.

There is no POB. information on the plane as referenced in the description of the plane of the p

The hearing area line is not dark enough to be clearly seen and along the 3, 44, 23'11 E. Line

# ROMADKA, GONTRUM & McLAUGHLIN, P.A.

814 Eastern Boulevard Baltimore, Maryland 21221 (410) 686-8274 (410) 686-0118 FAX

ROBERT J. ROMADKA JOHN B. GONTRUM J. MICHAEL McLAUGHLIN, JR.\*

\* Also Admitted In the District of Columbia

April 6, 1999

Carl Richards
Zoning Supervisor
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

RE: 4600 Wabash Avenue Joint Venture Variance Petition

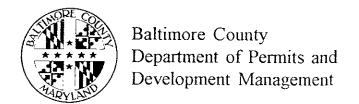
Dear Mr. Richards:

This Petition is being filed as a follow up to Case No. 99-302X. The site plan and description are identical to the plans filed in that case that requested a special exception. The zoning comments filed in that case by John Sullivan pointed out that a variance would be necessary for building setback. A copy of the comments is attached. This petition is being filed to address the issue. The other issues were addressed by the engineer Mr. Thompson or at the hearing.

There are no zoning violations pending against the property.

John B Gontrum

enc.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 4, 1999

John B. Gontrum, Esquire Romadka, Gontrum & McLaughlin 814 Eastern Boulevard Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Drop-Off Petition Review, Case Number 99-302-X, 9615 Philadelphia Road

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- 1. Area on zoning description = 1.76 +/- acres; area on site plan = 3.66 +/- acres. (Label special exception area on site plan.)
- 2. Configuration of site differs with that on vicinity map.
- 3. Add variance case number or information for deficient building setback and sign area.
- 4. Add building dimensions.
- 5. Location of entrance and travel lane, parking spaces, vacuum spaces, and stacking spaces impede traffic circulation.
- 6. Contact Rahee Famili, Developers Engineering Office, at 410-887-3751, for a travelway with direct access to parking spaces.

MAR 9 1999

John B. Gontrum, Esquire March 4, 1999 Page 2

- 7. Show location of streams, storm water management systems, drainage and pipe systems on or within 50 feet of property and the 100-year floodplain, if any. If not in floodplain, note this on the plan.
- 8. "40 parking spaces provided" (32 shown)??
- 9. Add type and extent of paving and a 10-foot setback of parking spaces to the street right-of-way.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John J. Sullivan, Jr.

Planner II

Zoning Review

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

# PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS he
FRED HISMISON	YAGE LAKE AVE DIDIZ
FRED FREMISON Steve Kimball	Sower ADDRESS 4298 LARG AVE 21212 Kimball Construction Co. 9615 Philadelphia Rd. 2123
John bonhun	

